

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 69843

Daniel Sele

3649 Langrehr Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 17, 2009 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 1B01, 102.1, 428, 1B01.1D, failure to license/remove all untagged/inoperative or damaged/disabled motor vehicle(s), failure to remove open dump/junkyard conditions such as tires and other auto maintenance items on residential property known as 3649 Langrehr Road, 21244.

On October 22, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Latoshia Rumsey-Scott issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$5,000.00 (five thousand dollars).

The following persons appeared for the Hearing and testified: Daniel Sele, Respondent and, Latoshia Rumsey-Scott, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on March 19, 2009 for removal of untagged/inoperative motor vehicles, removal of untagged recreation vehicle, removal of open dump/junk yard, removal of trash and debris, proper storage of garbage in containers with tight lids. This Citation was issued on October 22, 2009.

B. Inspector Latoshia Scott testified that the Citation was issued because there have been prior code enforcement cases at this property in 2004, 2006, and 2007 for similar violations. Photographs in the file show cars with expired tags and junk, trash and debris on the property. Reinspection the day before this Hearing found the property cleaned up and the car removed, but the Department requests enforcement of this Citation because of the history of repeat violations.

C. Respondent Daniel Sele testified that he lives on the property with his seven children. He recently left the military. The property will be kept in compliance.

D. The evidence shows that there were code violations at this property, but the violations were corrected prior to this Hearing. Because compliance is the goal of code enforcement, this Citation will be dismissed. However, Respondent is advised that under departmental policy, Respondent is subject to immediate Citation for any future violations.

IT IS ORDERED by the Code Enforcement Hearing Officer that the Citation is DISMISSED.

ORDERED this 24th day of November 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.

MZF/jaf